

AGENDA
DANIA BEACH CITY COMMISSION
REGULAR MEETING
TUESDAY, MARCH 27, 2012 - 7:00 P.M.

ANY PERSON WHO DECIDES TO APPEAL ANY DECISION MADE WITH REGARD TO ANY MATTER CONSIDERED AT THIS MEETING OR HEARING WILL NEED A RECORD OF THE PROCEEDING, AND FOR SUCH PURPOSE MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDING IS MADE WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.

LOBBYIST REGISTRATION REQUIRED. REGISTRATION AS A LOBBYIST IN THE CITY OF DANIA BEACH IS REQUIRED IF ANY PERSON, FIRM OR CORPORATION IS BEING PAID TO LOBBY THE COMMISSION ON ANY PETITION OR ISSUE PURSUANT TO ORDINANCE # 01-93. REGISTRATION FORMS ARE AVAILABLE IN THE CITY CLERK'S OFFICE IN THE ADMINISTRATION CENTER.

IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT, PERSONS NEEDING ASSISTANCE TO PARTICIPATE IN ANY OF THESE PROCEEDINGS SHOULD CONTACT THE CITY CLERK'S OFFICE, 100 W. DANIA BEACH BOULEVARD, DANIA BEACH, FL 33004, (954) 924-6800 EXTENSION 3624, AT LEAST 48 HOURS PRIOR TO THE MEETING.

IN CONSIDERATION OF OTHERS, WE ASK THAT YOU:

- A. PLEASE TURN CELL PHONES OFF, OR PLACE ON VIBRATE. IF YOU MUST MAKE A CALL, PLEASE STEP OUT INTO THE ATRIUM, IN ORDER NOT TO INTERRUPT THE MEETING.
 - B. IF YOU MUST SPEAK TO SOMEONE IN THE AUDIENCE, PLEASE SPEAK SOFTLY OR GO OUT INTO THE ATRIUM, IN ORDER NOT TO INTERRUPT THE MEETING.
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1. CALL TO ORDER/ROLL CALL

2. INVOCATION AND PLEDGE OF ALLEGIANCE

Pastor Mario Cinelli, Lighthouse Community Church

3. PRESENTATIONS AND SPECIAL EVENT APPROVALS

- 1. State of the City Presentation - Mayor Flury
- 2. Special Event request from Olsen Middle School for the "2nd Annual Beach Run for Education" to be held Saturday, April 28, 2012, from 8:00 a.m. - 10:00 a.m. at the Dania Beach Pier
- 3. RESOLUTION NO. 2012-037

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, DETERMINING THAT PARCELS OF REAL PROPERTY LEGALLY DESCRIBED IN EXHIBIT "A" (A COPY OF WHICH IS ATTACHED AND INCORPORATED INTO THIS RESOLUTION BY THIS REFERENCE), ARE SURPLUS PROPERTY; AUTHORIZING THE CITY MANAGER TO ENTER INTO AN EXCLUSIVE LISTING AGREEMENT WITH A REGISTERED REAL ESTATE BROKER, SELECTED BY LOTTERY FROM AMONG QUALIFIED BROKERS; CONFIRMING THAT APPRAISALS OF THE REAL PROPERTY HAVE DETERMINED THE VALUES OF THE PROPERTIES AS IDENTIFIED IN EXHIBIT "A"; AUTHORIZING THE CITY MANAGER TO ENTER INTO CONTRACTS FOR SALE OF THE PARCELS OF REAL PROPERTY WITH THE SALES CONTINGENT

UPON APPROVAL BY MAJORITY VOTE OF THE CITY COMMISSION;
PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE
DATE.

4. Lottery Selection of Real Estate Broker for the Surplus Parcels of Real Property

4. PROCLAMATIONS

1. Paralyzed Veterans of America Awareness Month

5. CITIZEN COMMENTS

Addressing the Commission: Comments by Dania Beach citizens, or other interested parties that are not part of the regular agenda, may be made during each Commission meeting during the period set aside for "citizen comments." A thirty (30) minute "citizen comments" period shall be designated on the agenda for citizens and interested persons to speak on matters not scheduled on that day's agenda. Each speaker shall be limited to 3 minutes for his or her comments. Persons desiring to speak during the citizen comment period shall inform the City Clerk prior to the beginning of the meeting of their intention to speak. If more than 10 speakers express a desire to speak, the Commission shall determine, on a meeting by meeting basis, whether to (a) extend the time allotted for citizen comments to accommodate all speakers, or (b) whether to limit the number of speakers or amount of time per speaker. A speaker's time shall not be transferable to another speaker.

6. PUBLIC SAFETY REPORTS

7. CONSENT AGENDA

1. Minutes:

Approve minutes of March 13, 2012 City Commission meeting

Approve minutes of March 15, 2012 First Public Hearing Airport Settlement Agreement
Amendment

2. Travel Requests:

Request of Jacquelyn Whiting-Beauzil, Human Resources, to attend the FRS Employer
Training Seminar in Tallahassee, Florida, on April 11-12, 2012 (Estimated cost
\$6278.24)

3. RESOLUTION NO. 2012-038

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH,
FLORIDA, AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE AN
AMENDMENT TO AN EXISTING AGREEMENT WITH KEITH AND SCHNARS,
P.A. RELATING TO PROFESSIONAL SERVICES FOR THE CITY OF DANIA
BEACH WATER DISTRIBUTION MODELING PROJECT AND AUTHORIZING
THE CITY MANAGER TO EXECUTE THE AMENDMENT, SUCH SERVICES NOT
TO EXCEED TWELVE THOUSAND DOLLARS (\$12,000.00); PROVIDING FOR
FUNDING; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN
EFFECTIVE DATE.

4. RESOLUTION NO. 2012-040

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, REQUESTING ADVANCE APPROVAL FROM THE CITY COMMISSION OF THE CITY OF DANIA BEACH FOR ADVERTISEMENT OF THE SECOND AND FINAL PORTION OF THE CAPITAL PROJECT KNOWN AS THE SOUTHEAST DRAINAGE IMPROVEMENTS PHASE I PROJECT, WHERE BIDDING IS EXPECTED TO BE SOUGHT BY THE PUBLIC SERVICES DEPARTMENT; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

5. RESOLUTION NO. 2012-041

A RESOLUTION OF THE CITY OF DANIA BEACH, FLORIDA, RATIFYING AND APPROVING AN AMENDMENT TO THE EXISTING CONSTRUCTION AGREEMENT BY ADDING TWO SHADE SHELTER STRUCTURES TO THE PRECIOUS PAWS DOG PARK PROJECT USING COASTAL CONTRACTING & DEVELOPMENT INC., FOR AN AMOUNT NOT TO EXCEED \$20,000.00; PROVIDING FOR FUNDING; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

6. RESOLUTION NO. 2012-042

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE AN AGREEMENT WITH THE FLORIDA INLAND NAVIGATION DISTRICT THAT PROVIDES FOR FUNDING AND ADMINISTRATION OF A WATERWAYS ASSISTANCE PROGRAM GRANT IN THE AMOUNT OF \$2,500,000.00; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

8. BIDS AND REQUESTS FOR PROPOSALS

1. RESOLUTION NO. 2012-033

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, RELATING TO THE REQUEST FOR PROPOSALS FOR AND AWARD OF CONTRACT FOR BUILDING DEPARTMENT AND CODE COMPLIANCE SERVICES TO BROWARD COUNTY, PURSUANT TO RFP NUMBER 12-004; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

2. RESOLUTION NO. 2012-039

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH,

FLORIDA, AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE AN AGREEMENT WITH SPORTS TURF ONE, INC., RELATING TO THE AWARD OF CONTRACT FOR THE LASER GRADING AND RE-SODDING OF THE C.W. THOMAS FOOTBALL FIELD PROJECT IN AN AMOUNT NOT TO EXCEED \$86,793.00; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

3. RESOLUTION NO. 2012-043

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, APPROVING A RANKING OF BID RESPONSES AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE AN AGREEMENT WITH GREEN CONSTRUCTION TECHNOLOGIES RELATING TO THE AWARD OF CONTRACT FOR THE US-1/SR-5 RIGHT-OF-WAY LANDSCAPE IMPROVEMENTS - PHASE II PROJECT, IN AN AMOUNT NOT TO EXCEED \$1,293,261.58; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

4. RESOLUTION NO. 2012-044

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, PROVIDING A RANKING OF BID RESPONSES AND AWARDED A BID TO INSITUFORM, INC, IN THE AMOUNT OF \$774,098.50 FOR PHASE III OF THE INFILTRATION AND INFLOW PROGRAM; PROVIDING ASSURANCES; PROVIDING FOR FUNDING; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

9. PUBLIC HEARINGS

1. ORDINANCE NO. 2012-007

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE AN AMENDMENT TO THE SETTLEMENT AGREEMENT (IN COMPLIANCE WITH CITY CHARTER REQUIREMENTS), WITH BROWARD COUNTY, FLORIDA, RELATED TO LITIGATION EXISTING BETWEEN THE PARTIES IN CONNECTION WITH CONSTRUCTION OF A NEW SOUTH RUNWAY AT FORT LAUDERDALE-HOLLYWOOD INTERNATIONAL AIRPORT, SUCH AMENDMENT TO CHANGE THE VOIDABILITY OPTION PERIOD OF PARAGRAPH 6 OF THE AGREEMENT FROM THIRTY (30) DAYS TO SIXTY (60) DAYS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. **(SECOND READING)**

2. ORDINANCE NO. 2012-008

AN ORDINANCE OF THE CITY OF DANIA BEACH, FLORIDA, TO AMEND THE

CODE OF ORDINANCES AND LAND DEVELOPMENT CODE BY AMENDING ARTICLE III "GARAGE SALES" OF CHAPTER 21 "SALES AND AUCTIONS" OF THE CODE OF ORDINANCES, CONCERNING REGULATIONS OF GARAGE SALES; AND AMENDING THE LAND DEVELOPMENT CODE BY AMENDING ARTICLE 105 "USE REGULATIONS FOR RESIDENTIAL AND OPEN SPACE ZONING DISTRICTS" REGARDING REGULATIONS OF OUTDOOR STORAGE CONTAINERS, COMMUNITY RESIDENTIAL HOMES AND RESIDENTIAL CARE FACILITIES; AMENDING ARTICLE 110 "USE REGULATIONS FOR COMMERCIAL AND MIXED-USE DISTRICTS" CONCERNING PERMITTED USES IN ZONING DISTRICTS AND PROVIDING FOR SUPPLEMENTAL USE REGULATIONS; AMENDING ARTICLE 115 "INDUSTRIAL DISTRICTS: PERMITTED, PROHIBITED, SPECIAL EXCEPTION USES, AND CONDITIONS OF USE" CONCERNING PERMITTED USES IN INDUSTRIAL ZONING DISTRICTS AND CONDITIONS OF USE; AMENDING ARTICLE 205 "TABULAR SUMMARY OF SITE DEVELOPMENT STANDARDS FOR ALL ZONING DISTRICTS" TO PROVIDE DEVELOPMENT STANDARDS FOR THE OPEN SPACE (OS) ZONING DISTRICT; AMENDING ARTICLE 265 "OFF-STREET PARKING REQUIREMENTS" TO AMEND OFF-STREET PARKING REGULATIONS, AND REQUIREMENTS OF THE PAYMENT IN LIEU OF PARKING PROGRAM; AMENDING ARTICLE 302 "DETAILED USE REGULATIONS" CONCERNING PERMITTED, PROHIBITED AND SPECIAL EXCEPTION USES WITHIN THE COMMUNITY REDEVELOPMENT AREA FORM-BASED ZONING DISTRICTS; AMENDING ARTICLE 303 "DISTRICT DEVELOPMENT STANDARDS" TO PROVIDE FOR AMENDED DEVELOPMENT STANDARDS WITHIN THE CITY CENTER FORM-BASED ZONING DISTRICT; CREATING ARTICLE 307 "LANDSCAPING REGULATIONS" CONCERNING LANDSCAPING REQUIREMENTS WITHIN THE COMMUNITY REDEVELOPMENT AREA FORM-BASED ZONING DISTRICTS; CREATING ARTICLE 511 "INDUSTRIAL DESIGN STANDARDS" TO ESTABLISHMENT DESIGN REQUIREMENTS FOR INDUSTRIAL DEVELOPMENT; AMENDING ARTICLE 610 "PUBLIC HEARING NOTICES" TO PROVIDE FOR AMENDMENTS TO PUBLIC NOTICE REQUIREMENTS FOR DEVELOPMENT APPLICATIONS; AMENDING ARTICLE 620 "ADMINISTRATIVE VARIANCES", CONCERNING AUTHORIZED ADMINISTRATIVE VARIANCES; AMENDING ARTICLE 675 "TEMPORARY USE AND SPECIAL EVENT PERMITS" TO AMEND THE PROCEDURES AND REQUIREMENTS FOR REVIEW AND APPROVAL OF TEMPORARY USES AND SPECIAL EVENTS; AMENDING ARTICLE 725 "DEFINITIONS" TO AMEND THE DEFINITIONS USED IN THE LAND DEVELOPMENT CODE; AMENDING ARTICLE 805 "CONCURRENCY DETERMINATIONS" TO AMEND STANDARDS REGARDING PUBLIC SCHOOL CONCURRENCY TO PROVIDE FOR CONSISTENCY WITH THE INTERLOCAL AGREEMENT FOR PUBLIC SCHOOL FACILITY PLANNING IN BROWARD COUNTY; PROVIDING FOR AMENDMENTS THROUGHOUT THE LAND DEVELOPMENT CODE TO CORRECT SCRIVENER'S ERRORS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

(FIRST READING) (Continued from March 13, 2012)

3. RESOLUTION NO. 2012-034

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, APPROVING THE REQUEST FOR A VARIANCE (VA-08-12) SUBMITTED BY GILLES GRENIER, REPRESENTING SKYLAND PLAZA, FROM THE DANIA BEACH LAND DEVELOPMENT CODE FOR PROPERTY LOCATED AT 118 NORTH FEDERAL HIGHWAY, DANIA BEACH; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

4. RESOLUTION NO. 2012-035

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, APPROVING THE SITE PLAN REQUEST (SP-40-11) AND ASSOCIATED DESIGN VARIATIONS SUBMITTED BY GILLES GRENIER, REPRESENTING SKYLAND PLAZA, FOR PROPERTY LOCATED AT 118 N FEDERAL HIGHWAY IN THE CITY OF DANIA BEACH, FLORIDA; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

10. DISCUSSION AND POSSIBLE ACTION

11. COMMISSION COMMENTS

- 11.1 Commissioner Castro
- 11.2 Commissioner Duke
- 11.3 Commissioner Grace
- 11.4 Vice-Mayor McElyea
- 11.5 Mayor Flury

12. APPOINTMENTS

- 1. Airport Advisory Board
 - Commissioner Duke
 - Commissioner Grace - 1 appointment
 - Mayor Flury - 1 appointment
- 2. Green Advisory Board
 - Commissioner Castro - 1 appointment
- 3. Broward League of Cities
 - Appointment of Director, Alternate, and Second Alternate

13. ADMINISTRATIVE REPORTS

13.1 City Manager

13.2 City Attorney

13.3 City Clerk - Reminders

Wednesday, April 4, 2012 - 6:00 p.m.

Tuesday, April 10, 2012 - 7:00 p.m.

Tuesday, April 24, 2012 - 7:00 p.m.

CRA Board Meeting

City Commission Meeting

City Commission Meeting

14. ADJOURNMENT